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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 A.J.P. and A.M.P., minors, by and
12 through their guardian *ad litem* Cynthia
13 Nunez, individually and as successor in
interest to Albert Perez, deceased; and
PATRICIA RUIZ, individually,

14 Plaintiffs,

15 vs.

16 COUNTY OF SAN BERNARDINO;
17 and DOES 1-10, inclusive,

18 Defendants.
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Case No. 5:22-cv-01291-SSS-SHK

Hon. Sunshine S. Sykes,
Hon. Magistrate Shashi H. Kewalramani

**[PROPOSED] ORDER RE:
PLAINTIFFS' OBJECTIONS TO
DEFENDANTS' EVIDENCE
OFFERED IN SUPPORT OF
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT/
ADJUDICATION**

*[Filed concurrently Plaintiffs' Plaintiffs'
Objections To Defendants' Evidence
Offered In Support Of Defendants'
Motion For Summary Judgment/
Adjudication]*

Date: April 19, 2024

Time: 2:00 P.M.

Courtroom: Courtroom 2, 2nd Floor

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27 On March 15, 2024, Plaintiffs filed their Objections to Defendants' Evidence
28 Offered In Support Of Defendants' Motion For Summary Judgment/Adjudication

1 requesting the Court to find that Defendants' reliance on "Call Log History" (Ex. A
2 attached to Dkt. 43-2) as inadmissible on the basis that:

- 3 1. It contains inadmissible hearsay under F.R.E. 801, 802 without an applicable
4 exception under F.R.E. 803;
- 5 2. Is misleading and prejudicial under F.R.E. 403;
- 6 3. Irrelevant under F.R.E. 401, 402;
- 7 4. Vague and ambiguous as to the following descriptions: "disturbance,"
8 "ordered," "refusing commands," and "not comply;"
- 9 5. Calls for speculation and lacks foundation.

10 The Court, having considered Plaintiffs' Objections to Defendants' Evidence
11 Offered in Support Of Defendants' Motion For Summary Judgment/Adjudication
12 and finding good cause, hereby GRANTS the request and ORDERS as follows:

- 13 1. Exhibit A attached to the Declaration of Kayleigh Anderson is inadmissible
14 evidence offered in support of Defendant's Facts 1-6 and will not be
15 considered as evidence in support of Defendants' Motion for Summary
16 Judgment.

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18 IT IS SO ORDERED.

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21 Dated:

UNITED STATES DISTRICT COURT

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United States District Court Judge
25 Hon. Sunshine S. Sykes
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